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BANNER & WITCOFF LTD  
11th Floor  
1001 G Street NW  
Washington, DC 20001-4597

NOV 21 2002

In re Application of )  
ATSUMI )  
Application No. 09/028,276 )  
Filed: February 24, 1998 )  
For: SEMICONDUCTOR INTEGRATED CIRCUIT )  
DEVICE AND FLASH EEPROM )

DECISION ON PETITION

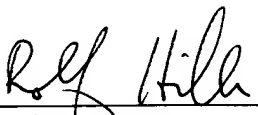
This is a decision on the petition under 37 CFR 1.181, 1.182 and/or 1.183, filed on April 4, 2001, to enter a Reply Brief and Request for Oral Hearing. The petition to enter the Reply Brief is before the Director of Technology Center 2800 for a decision pursuant to 37 CFR 1.181.

An Examiner's Answer was mailed on January 4, 2001, thereby initiating a two (2) month time period for the applicant to file a Reply Brief in accordance with 37 CFR 1.193. A Reply Brief was filed along with the petition on April 4, 2001.

Petitioner states that applicant's representatives mis-docketed the final due date for a response to the Examiner's Answer and believed that a Reply Brief was due within two months of the date of the Examiner's Answer with extensions up to four months (statutory period) typically available under 37 CFR 1.136(a) for other types of responses. Petitioner states that the error in docketing and failure to recognize that the optional filing of a Reply Brief was due, without extension pursuant to 37 CFR 1.136(a), occurred without deceptive intent. Petition requests that the Reply Brief be entered.

The petition to enter the Reply Brief is **GRANTED** under 37 CFR 1.181.

The application file is being forwarded to the examiner in charge of the application to either acknowledge receipt and entry of the Reply Brief or reopen prosecution in order to respond to the Reply Brief, pursuant to 37 CFR 1.193(b). In the event that prosecution is not reopened, the application will be forwarded to the Board of Patent Appeals and Interferences for a decision on the petition for entry of the Request for Oral Hearing.

  
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Rolf G. Hille, Director  
Technology Center 2800 - Semiconductors, Electrical  
and Optical Systems and Components